



06-10-05

RCE  
IFW

PTO/SB/30 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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|   |                        |                       |
|---|------------------------|-----------------------|
| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>MS RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 10/009,445            |
|   | Filing Date            | May 11, 2000 (Int'l.) |
|   | First Named Inventor   | A. Neil BARCLAY       |
|   | Art Unit               | 1636                  |
|   | Examiner Name          | C. X. Qian            |
|   | Attorney Docket Number | 140942000900          |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☒ Other Consider the arguments in the Amendment After Final Action filed 4/18/05 and Communication filed 5/19/05

b. ☒ Enclosed

i. ☒ Amendment/Reply (6 pages)

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Exhibit A: WO 03/077947 (56 pages); Fee Transmittal (1 page + duplicate for fee processing); Return Receipt Postcard

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952 I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                |                  |              |
|---|----------------|------------------|--------------|
| Signature   |                | Date             | June 8, 2005 |
| Name (Print/Type)                                   | Laurie L. Hill | Registration No. | 51,804       |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 615196194 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 8, 2005 Signature: (Judy Bridgewater)

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|   |  |                          |                       |
|---|--|--------------------------|-----------------------|
| <b>Effective on 12/08/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b><br><b>FEE TRANSMITTAL</b><br><b>For FY 2005</b> |  | <b>Complete if Known</b> |                       |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  | Application Number       | 10/009,445            |
|   |  | Filing Date              | May 11, 2000 (Int'l.) |
|   |  | First Named Inventor     | A. Neil BARCLAY       |
|   |  | Examiner Name            | C. X. Qian            |
|   |  | Art Unit                 | 1636                  |
| <b>TOTAL AMOUNT OF PAYMENT</b>  |  | Attorney Docket No.      | 140942000900          |
| (\$)  |  |                          | 790.00                |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Small Entity        |                 |
|--|---------------------|-----------------|
|  | Fee (\$)            | Fee (\$)        |
| Each claim over 20 (including Reissues)            | 50                  | 25              |
| Each independent claim over 3 (including Reissues) | 200                 | 100             |
| Multiple dependent claims                          | 360                 | 180             |
| <b>Total Claims</b>                                | <b>Extra Claims</b> | <b>Fee (\$)</b> |
|  |                     |                 |
| <b>Indep. Claims</b>                               | <b>Extra Claims</b> | <b>Fee (\$)</b> |
|  |                     |                 |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
|              |              |  |          |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) 790.00

|                     |                |                                   |                |
|---------------------|----------------|-----------------------------------|----------------|
| <b>SUBMITTED BY</b> |                |                                   |                |
| Signature           |                | Registration No. (Attorney/Agent) | 51,804         |
| Name (Print/Type)   | Laurie L. Hill | Telephone                         | (858) 720-7955 |
|                     |                | Date                              | June 8, 2005   |